

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7217

BILL NUMBER: HB 1289

NOTE PREPARED: Apr 29, 2013

BILL AMENDED: Mar 26, 2013

SUBJECT: Levee Repair and Reimbursement.

FIRST AUTHOR: Rep. Messmer

FIRST SPONSOR: Sen. Yoder

BILL STATUS: Enrolled

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: Local

Summary of Legislation: This bill requires a committee in charge of a levee to perform the maintenance of and repairs to the levee that are necessary to maintain federal certification of the levee. The bill provides that the maintenance costs shall be apportioned and assessed in the same manner as repair costs and expenses to a levee. It requires a committee in charge of a levee to apportion and assess costs of levee repairs not more than 90 days after the statement of costs and expenses for repairs is filed with the county auditor. The bill also provides for notice to be given within 10 days to the county executive when a levee is no longer in compliance with federal certification requirements.

The bill requires that if a committee in charge of a levee: (1) has filed the statement of costs and expenses for repairs; and (2) has not reimbursed the county for the costs and expenses for repairs to the levee or apportioned and assessed the costs; the committee shall apportion and assess the costs upon the land and corporations benefitted by the repairs before September 29, 2013.

The bill also allows the county council and county executive to appoint a voting member to the committee.

The bill provides that certain laws regarding structures in floodways do not apply to certain property that is to be rehabilitated and reused as an abode or residence if certain conditions apply.

The bill also urges the Legislative Council to assign to a study committee the topic of levee governance.

Effective Date: July 1, 2013.

Explanation of State Expenditures: *Study Committee:* The Legislative Council could assign the topic of levee governance to an existing interim study committee or establish a new interim study committee to study this topic during the next interim. Interim study committees operate on budgets established by the Legislative Council based on committee size. Legislative Council resolutions in the past have established budgets for interim study committees in the amount of \$9,500 per interim for committees with fewer than 16 members and \$16,500 for committees with 16 members or more. If the Legislative Council were to assign this topic to an existing committee and the committee were to have any extra meetings to address this topic, there would be additional expenditures for legislator per diem and travel reimbursement for the committee members. Any additional expenditures must be within the committee's budget.

Explanation of State Revenues:

Explanation of Local Expenditures: The fiscal impact of this bill would depend on individual circumstances and whether a levee has lost federal certification.

The bill also provides for rehabilitation and reuse of a structure located in a floodway within the city of Jasper.

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: County auditors; County councils; County executives; Committees in charge of levees.

Information Sources:

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